

**State of California  
AIR RESOURCES BOARD**

**EXECUTIVE ORDER D-193-84**

Relating to Exemptions under Section 27156 and 38391  
of the Vehicle Code

Car Sound Exhaust System, Inc. (d.b.a. Magnaflow)  
"Series 37000 & 38000 Three-way Catalytic Converters"

WHEREAS, Vehicle Code Sections 27156 and 38395, and Title 13, California Code of Regulations (hereafter "CCR") Section 2222(h), authorize the California Air Resources Board and its Executive Officer to exempt new aftermarket catalytic converters from the prohibitions of Vehicle Code Section 27156 and 38391.

WHEREAS, Car Sound Exhaust System, Inc. (Car Sound) of 22691 Arroyo Vista, Rancho Santa Margarita, California 92688, has applied to the Air Resources Board for exemption from the prohibitions in Vehicle Code Sections 27156 and 38391 to market its new aftermarket Series 37000 & 38000 three-way catalytic converters (TWC) for installation 1995 and older model year non-on-board diagnostic II (non-OBD II) passenger cars with two or more catalytic converters per bank (PC-2). Series 37000 will be used as the front catalytic converter and Series 38000 as the rear catalytic converter. These catalytic converters may be sold as a universal or direct fit system.

WHEREAS, pursuant to the authority vested in the Executive Officer by Health and Safety Code Section 39515 and in the Chief, Mobile Source Operations Division by Health and Safety Code Section 39516 and Executive Order G-02-003, the Air Resources Board finds that the above aftermarket catalytic converters comply with the California Vehicle Code Sections 27156 and 38395 and Title 13, California Code of Regulations, Section 2222(h). Emission performance of the catalytic converters was based on durability bench-aging by Delphi Engine/Chassis Systems using the Air Resources Board-modified RAT-A bench-aging cycle for 75 hours, as specified in Appendix A to the "California Evaluation Procedures for New Aftermarket Catalytic Converters" as adopted on October 25, 2007.

WHEREAS, emissions tests conducted at the Automotive Testing and Development Services, Inc., Ontario, California, with Series 37000 (2 units front) and Series 38000 (2 units rear) TWCs installed on a 2001 4.6L Crown Victoria, test group YFMXV04.6VF5, certified to the passenger car, Low Emission Vehicle emission standards (PC, LEV), showed that the vehicle met the applicable emission standards. OBD II compatibility tests performed on the same vehicle showed that Series 37000 and 38000 TWC system does not affect the vehicle's ability to perform OBD II system monitoring. The following are the test results in grams per mile:

	<u>NMOG</u>	<u>CO</u>	<u>NOx</u>
PC 100K LEV standards	0.090	4.2	0.3
Series 37000 and 38000 Test 1	0.089	0.9	0.1
Series 37000 and 38000 Test 2	0.085	1.1	0.1

THEREFORE, IT IS HEREBY RESOLVED that Car Sound Exhaust System, Inc.'s Series 37000 & 38000 TWCs are exempted from the prohibitions in Vehicle Code Sections 27156 and 38391 for installation on 1995 and older model year PC-2 vehicles subject to the following conditions:

1. No changes are permitted to the catalytic converters as described in the application for exemption. Any changes to the catalytic converters or any of their components, and other factors addressed in this order must be evaluated and approved by the Air Resources Board prior to marketing in California.
2. Marketing of the catalytic converters using identifications other than those shown in the exemption application, and in this Executive Order, or marketing of the catalytic converters for application other than the ones shown in this Executive Order shall be prohibited unless prior approval is obtained from the Air Resources Board. Exemption of these products shall not be construed as an exemption to sell, offer for sale, or advertise any components of the catalytic converters as individual devices.
3. Any oral or written references to this Executive Order or its content by Car Sound Exhaust System, Inc., its principals, agents, employees, distributors, dealers, or other representatives must include the disclaimer that the Executive Order or the exemption it provides is not an endorsement or approval of any emission reduction claims for the catalytic converters and is only a finding that the catalytic converters are exempt from the prohibitions of Vehicle Code Sections 27156 and 38391.
4. Car Sound Exhaust System, Inc.'s installation instructions for the new catalytic converters must conform to requirements in Section (h) of the "California Evaluation Procedures for New Aftermarket Catalytic Converters," as adopted October 25, 2007.
5. Installation of the catalytic converters shall not cause the relocation of an oxygen sensor. Oxygen sensors must be installed in the same location, position and orientation as prescribed in the original equipment manufacturer's configurations.
6. Upon installation, the catalytic converters must carry a manufacturer's warranty for five (5) years or 50,000 miles as prescribed in Section (f)(2) of the "California Evaluation Procedures for New Aftermarket Catalytic Converters," as adopted October 25, 2007.
7. Car Sound Exhaust System, Inc. and its vendors may not advertise the new aftermarket catalytic converters as "high flow or easy flow" catalytic converters or use any phrase that could make them appear to perform better than the original equipment manufacturer (OEM) catalytic converters.

8. Any marketing arrangement of the new aftermarket catalytic converter by a third party, which involves the use of packaging identification different from the ones described in this Executive Order, must be approved by the Air Resources Board prior to shipment.
9. Car Sound Exhaust System, Inc., its associates, vendors, other businesses and individuals associated with Car Sound Exhaust System, Inc. may not sell or supply new aftermarket catalytic converter substrates to a third party to be assembled in a different facility and marketed under this Executive Order without approval from the Air Resources Board.
10. Car Sound Exhaust System, Inc. shall comply with the quality control procedures and reporting requirements in Section (f)(5) of the "California Evaluation Procedures for New Aftermarket Catalytic Converters," as adopted October 25, 2007.
11. Quality control reports must be submitted on a quarterly basis and warranty information reports on a semi-annual basis, starting with periods covering January 1 through March 31, 2009 and January 1 through June 30, 2009, respectively.
12. Car Sound Exhaust System, Inc. must provide a permanent label or stamp as specified under Section (f)(1) of the "California Evaluation Procedures for New Aftermarket Catalytic Converters," as adopted on October 25, 2007.
13. Car Sound Exhaust System, Inc.'s vehicle application catalog must conform with the requirements specified under Section (f)(4) of the "California Evaluation Procedures for New Aftermarket Catalytic Converters," as adopted on October 25, 2007.

Violation of any of the above conditions shall be grounds for revocation of this order. The order may be revoked only after a 30-day written notice of intention to revoke it, during which period the holder of the order may request in writing a hearing to contest the proposed revocation. If a hearing is requested, it shall be held within 30 days of receipt of the request, and the order may not be revoked until a determination is made, after the hearing, that grounds for revocation exist.

Executed at El Monte, California, this 27<sup>th</sup> day of November 2008.



Annette Hebert, Chief  
Mobile Source Operations Division